

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	<b>AP2 Rec'd PCT/P10-178</b> <b>DEC 2005</b> U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>10/560418</b> unknown
<b>CORRECTED TRANSMITTAL LETTER TO THE UNITED STATES          DESIGNATED/ELECTED OFFICE (DO/EO/US)          CONCERNING A FILING UNDER 35 U.S.C. 371</b>		
INTERNATIONAL APPLICATION NO. <b>PCT/IB2004/000981</b>	INTERNATIONAL FILING DATE <b>1 April 2004</b>	PRIORITY DATE CLAIMED <b>13 May 2003</b>
TITLE OF INVENTION <p style="text-align: center;"><b>PROCESS FOR PREPARING OMEGA-ANHYDROUS GATIFLOXACIN</b></p>		
APPLICANT(S) FOR DO/EO/US <p style="text-align: center;"><b>VAKIL et al.</b></p>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The U.S. has been elected (Article 31).</li> <li>5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (15 pages specification, claims &amp; abstract (20 claims), 6 sheets drawings).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (        pages specification, claims &amp; abstract (        claims),        sheets drawings,        page Certificate of Translation).</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has <b>NOT</b> expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (        page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).</li> </ol> </li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 To 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</li> <li>13. <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</li> <li>b. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> </ol> </li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. § 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information. PTO/SB/08a listing references cited in the attached International Search Report</li> </ol>		

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

**VAKIL et al.**

Atty. Ref.: **4062-178**

Serial No. **unknown**

Group: **unknown**

National Phase of: **PCT/IB2004/000981**

International Filing Date: **1 April 2004**

Filed: **November 14, 2005**

Examiner: **Unknown**

For: **PROCESS FOR PREPARING OMEGA-ANHYDROUS  
GATIFLOXACIN**

\* \* \* \* \*

**December 14, 2005**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**CORRECTION OF PCT APPLICATION NUMBER**  
**IN ORIGINALLY FILED PAPERS**

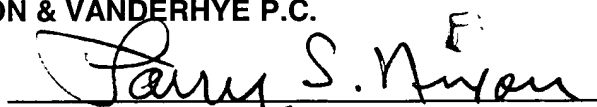
It has been brought to the attention of the undersigned attorney that the PCT application number was incorrectly identified as PCT/IB04/000951 rather than the correct number; i.e., **PCT/IB04/000981**. A copy of the published application was filed with the original papers on November 14, 2005. Copies of the front pages of published WO 2004/101527 which bear this out are enclosed. Also enclosed are a corrected Transmittal Letter and Preliminary Amendment.

A Declaration was not included with the original filing but when it is submitted it will bear the correct number.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By:



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